

1 Andrew K. Alper, Esq.
2 California Bar No. 088876
3 FRANDZEL ROBINS BLOOM & CSATO, L.C.
4 6500 Wilshire Boulevard
5 Seventeenth Floor
6 Los Angeles, California 90048-4920
7 Telephone: (323) 852-1000
8 Facsimile: (323) 651-2577
9 E-mail: aalper@frandzel.com

ELECTRONICALLY FILED
ON
December 14, 2006

6 and

7 Randolph L. Howard, Esq.
8 Nevada Bar No. 6688
9 KOLESAR & LEATHAM, CHTD.
10 3320 West Sahara Avenue, Suite 380
11 Las Vegas, Nevada 89102
12 Telephone: (702) 362-7800
13 Facsimile: (702) 362-9472
14 E-mail: RHoward@klnevada.com

15 Attorneys for Creditor
16 **DAYCO FUNDING CORPORATION**

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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

17 In re
18 USA COMMERCIAL MORTGAGE
19 COMPANY,
20 Debtor.

CASE NO. BK-S-06-10725-LBR
Chapter 11

CASE NOS: BK-5-06-10726 LBR
CASE NOS: BK-5-06-10727 LBR
CASE NOS: BK-5-06-10728 LBR
CASE NOS: BK-5-06-10729 LBR

21 In re:
22 USA CAPITAL REALTY ADVISORS, LLC,
23 Debtor,

CHAPTER 11
JOINTLY ADMINISTERED UNDER
CASE NO. BK-5-06-10725-LBR

NOTICE OF HEARING ON DAYCO
FUNDING CORPORATION'S MOTION
FOR RELIEF FROM THE AUTOMATIC
STAY

24 In re:
25 USA CAPITAL DIVERSIFIED TRUST
26 DEED FUND, LLC,
27 Debtor,

Date of Hearing: January 17, 2007

Time of Hearing: 9:30 a.m.

In re:

USA SECURITIES, LLC,

Debtor.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Co.
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed
- ☐ USA First Trust Deed Fund, LLC

NOTICE OF HEARING ON DAYCO FUNDING CORPORATION'S

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

NOTICE IS HEREBY GIVEN that the Motion for Relief from the Automatic Stay was filed herein on December 14, 2006, by Kolesar & Leatham, Chtd., and Frandzel Robins Bloom & Csato, L.C., co-counsel for creditor Dayco Funding Corporation, a California corporation. The Motion seeks an order modifying the automatic stay of §362(a) of the Bankruptcy Code.

NOTICE IS FURTHER GIVEN that a hearing on this Motion will be held before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in Bankruptcy Courtroom No. 1, 300 Las Vegas Boulevard, South, Las Vegas, Nevada, on January 17, 2007, at the hour of 9:30 a.m.

A copy of the Motion may be obtained by accessing PACER through the United States Bankruptcy Court website for Nevada at www.nvb.uscourts.gov, or by contacting the undersigned.

Any Opposition must be filed pursuant to Local Rule 9013(e)(1).

Local Rule 9013(e)(1): "Except for motions made pursuant to Fed. R. Bank. P. 7056 and LR 7056, an opposition to a motion must be filed and service completed upon the movant not more than fifteen (15) days after service of the motion, (eighteen (18) days if service of the motions is by mail pursuant to FRBP 9006(e) & (f)), but in no event later than five (5) business days before the date set for the hearing so that the movant receives the opposition no less than five (5) business days before the hearing date or within the time otherwise fixed by the court. The opposition must set forth all relevant facts and must contain a legal memorandum. An opposition may be supported by affidavits or declarations that conform to the provisions of subsection (d) of this rule."

1 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading
2 with the court. You must also serve your written response on the person who sent you this notice.

3 If you do not file a written response with the court, or if you do not serve your written
4 response on the person who sent you this notice, then:

- 5 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 6 • The court may *rule against you* without formally calling the matter at the hearing.

7 NOTICE IS FURTHER GIVEN that the hearing may be continued without further notice.

8 Dated this 14th day of December, 2006.

9 KOLESAR & LEATHAM, CHTD.

10 By: Randolph L. Howard
11 RANDOLPH L. HOWARD, ESQ.
12 Nevada Bar No. 6688
13 3320 West Sahara Avenue, Suite 380
14 Las Vegas, Nevada 89102

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16 ANDREW K. ALPER, Esq.
17 California Bar No. 088876
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